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RECENT CASES.

BANKRUPTCY—PREFERENCES—DEDUCTION OF NEW CREDITS.—*IN RE SOLDOSKY ET AL.*, 111 Fed. 511, (MINN.), AND *IN RE SOUTHERN OVERALLS MFG. CO.*, 111 Fed. 518, (Ga.).—The Bankruptcy Act of 1898, Section 60 c. entitles a creditor who has received preferential payment on account, but who has extended further credit as therein specified, to a deduction of the amount of such new credits from the preferences that he would otherwise be required to surrender before proving the remainder of his debt, and is not limited in its application to cases where the trustee sues to recover the preferences.

The question involved in these two cases is a very important one, and one over which there has been much conflict of authority. Until the present decisions the authorities were evenly divided. The following cases supporting the above two, hold that Section 60 c. of the bankruptcy act was enacted for the benefit of all creditors who had received preferences and given the bankrupt further credit. *In re Ryan*, 105 Fed. 760; *McKey v. Lee*, 105 Fed. 923; *In re Deckler*, 106 Fed. 484. That Section 60 c. applies only to creditors, who have received preferences in bad faith, is held by *In re Christensen*, 101 Fed. 802; *In re Arndt*, 104 Fed. 234; *In re Keller*, 109 Fed. 118; *In re Oliver*, 109 Fed. 784.

BANKRUPTCY—PROVABLE CLAIMS—PREFERENCES.—*IN RE KELLER*, 109 Fed. 118 (Iowa).—When a creditor receives a partial payment from an insolvent debtor within four months prior to his bankruptcy, such payment constitutes a preference, which must be surrendered by the creditor, before he will be allowed to prove his debt against the bankrupt's estate, without regard to the knowledge or belief by either debtor or creditor of the debtor's insolvency at the time of payment.

The question here at issue has been differently decided by the federal courts, a similar case not yet having been tried out before the Supreme Court. The weight of authority, if not of reason, seems to hold a different view from that in the decision above. *In re Ratliff* 107 Fed. 80; *In re Eggert*, 98 Fed. 843; *In re Smoke*, 104 Fed. 289; *In re Hall*, 4 Am. Banks, R. 671; *In re Alexander*, 102 Fed. 464. The present case is supported by *In re Sloan*, 102 Fed. 116; *In re Fort Wayne Electric Corp.*, 99 Fed. 400; *In re Coulam*, 97 Fed. 923.

CARRIERS—EXPULSION OF PASSENGER—ROUND TRIP—STAMPING RETURN TICKET.—*SOUTHERN RY. CO. v. WOOD*, 39 S. E. 894 (Ga.).—Where a round-trip ticket provides that the return coupon should not be good unless it was properly stamped by its agent, and where the railroad company failed to furnish an agent at reasonable times, held, that a purchaser of such ticket, upon explanation of the facts to the conductor, is entitled to ride upon any proper train, and has a right of action in tort against the railroad company for his expulsion.